

IN THE SPECIFICATION:

Please replace the specification of record with the substitute specification submitted herewith in marked up and clean format. The undersigned, an attorney registered to practice before the office, hereby states that the enclosed substitute specification includes the same changes as are indicated in the mark-up copy of the original specification. The substitute specification contains no new subject matter.

IN THE CLAIMS:

✓ Please rewrite claim 1 as set forth below in clean form. Additionally, in accordance with 37 CFR 1.121(c)(1)(ii), amended claim 1 is set forth in a marked-up version in the pages attached to this amendment.

B1 ~~Sup 12~~ 1. (Once Amended) A method of operating a brake assistant system which comprises a first mode of operation in which the brake assist system is not actuated, a second mode of operation in which after recognition of an emergency brake situation a pressure build-up of wheel brakes is generated, and a third mode of operation which is provided for the transition from the second into the first mode of operation, comprising the steps of:

- monitoring the wheel brake pressure in the third mode of operation,
- determining when the monitored wheel brake pressure is excessively elevated compared to the tandem master cylinder pressure, and
- diminishing the amount of excess elevation in the course of time.

Please add the following new claims.

B2 ~~Sup 12~~ 10. (New) A method according to claim 1, wherein the excess elevation is a function of a driving situation and/or an input of a vehicle driver via the brake pedal.